

09.01.2026
Item no. 14.
Court No.3.
Rakib

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 992 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Matigara Police Station Case No. 669 of 2025 dated 18.10.2025 under Sections 27(2)/308(2)/64(2)(m) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Rajesh Roy.

.....Petitioner.

Mr. Subham Ghosh

Mr. Mayank Roy

.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Chattu Roy

.....for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner submits that there was a consensual relationship between the petitioner and the de-facto complainant, both being major, the petitioner cannot be foisted with a criminal case by invoking the provisions of BNS. Learned advocate submits that there was a transaction also which was in respect of return of friendly loan.

On the other hand learned advocate for the State produces the Case Diary, drew the attention of the Court to the statement under Section 183 of BNSS as also the statement of a person

whose mobile phone was used for transaction along with the documents relating to the register of the hotel.

Having regard to the totality of circumstances, I am of the view that this is not a fit case for granting the privilege of anticipatory bail as prayed for by the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner in CRM (A) 992 of 2025 is **dismissed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)